

REMARKS

Applicants canceled claim 6, and amended claims 1 and 21 to include features of claim 6. Applicants also amended claims 9 and 18 to be in independent form, and as indicated by the Examiner, these claims should be passed to allowance. Applicants also added new claims 27-44. Support for the new claims can be found, e.g., in Fig. 7 of the specification. Claims 1-5 and 7-44 (attached) are presented for examination.

The Examiner rejected claims 1-8 and 10-13 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,458,988 (Putt). As amended, claims 1-8 and 10-13 recite a battery, comprising: a can having a rectangular cross section, the can having a closed end and an open end; a cathode in the can; an anode in the can; a separator between the cathode and the anode; and a seal assembly attached to the open end of the can, wherein the seal assembly comprises a seal and a current collector attached to the seal.

Putt does not describe a battery having a can, and a seal assembly including a seal and a current collector attached to an open end of a can. Instead, for example, Putt describes a battery having an anode current collector 51, such as a metal sheet or mesh, embedded in an anode paste 46. (See, e.g., Putt col. 9, line 62, to col. 10, line 11.) Putt does not suggest that current collector 51 is part of a seal assembly attached to an open end of a can, as claimed. Accordingly, Applicants request that the rejection be withdrawn.

The Examiner rejected claims 14-17 and 19-26 under 35 U.S.C. § 103(a) over Putt in view of U.S. Patent No. 6,197,445 B1 (Ward). In particular, the Examiner acknowledged that Put does not teach sealing a portion of a can over a seal assembly or a can having a triangular cross section, and relied on Ward for the missing features. But one skilled in the art reading Putt would not be motivated to combine Ward with Putt.

Ward is directed to elongate, cylindrical metal-air cells, such as AA cells. (See, e.g., Ward col. 1, lines 16-20.) Putt, however, expressly states that its specific object is to provide a thin prismatic zinc-air cell. (See, e.g., Putt col. 2, lines 63-66.) Indeed, one skilled in the art reading Putt would be discouraged from using a cylindrical design:

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Many portable electronic devices, such as portable computers, also place severe constraints on battery weight and volume. In such applications, prismatic cells would be preferable over button or cylindrical cells, which latter type of cells, in general, require more space to be allocated in the device than the cells themselves actually occupy. Prismatic cells also can be much thinner than alkaline cells of equivalent capacity. (Putt, col. 1, lines 52-59.)

In light of the above, Applicants submit that there is no motivation to combine the references as suggested by the Examiner.

Applicants believe the claims are in condition for allowance, which action is requested.